

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NEW ENGLAND CARPENTERS HEALTH
BENEFITS FUND, PIRELLI ARMSTRONG
RETIREE MEDICAL BENEFITS TRUST;
TEAMSTERS HEALTH & WELFARE FUND
OF PHILADELPHIA AND VICINITY;
PHILADELPHIA FEDERATION OF
TEACHERS HEALTH AND WELFARE
FUND; DISTRICT COUNCIL 37, AFSCME -
HEALTH & SECURITY PLAN; JUNE
SWAN; MAUREEN COWIE and BERNARD
GORTER,

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri
corporation; and McKESSON
CORPORATION, a Delaware corporation,

Defendants.

C.A. No. 1:05-CV-11148-PBS

**MOTION TO COMPEL MCKESSON TO MAKE ITS 30(B)(6) WITNESS AVAILABLE
AND PRODUCE IMS DATA**

Plaintiffs move for an order compelling McKesson to provide its 30(b)(6) witness knowledgeable about the custodians of record of McKesson's production in this litigation. Plaintiffs further move for an order compelling McKesson to produce IMS data Plaintiffs requested last July and for sanctions.

DATED: January 23, 2007

By /s/ Steve W. Berman

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CERTIFICATE PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for Plaintiffs conferred with counsel for Defendants on the Plaintiffs' motion to compel and an agreement could not be reached.

/s/ Steve W. Berman
Steve W. Berman

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on January 23, 2007.

/s/ Steve W. Berman
Steve W. Berman

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corporation; and McKESSON
CORPORATION, a Delaware corporation,

Defendants.

C.A. No. 1:05-CV-11148-PBS

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL
APPEARANCE OF MCKESSON'S 30(B)(6) WITNESS AND PRODUCE IMS DATA**

IT IS HEREBY ORDERED as follows:

1. McKesson is ordered to make its 30(b)(6) witness available to be deposed by Plaintiffs on a mutually agreeable date no later than ten (10) days from the date of entry of this Order.
2. McKesson is ordered to produce the IMS data Plaintiffs requested no later than five (5) days from the date of entry of this Order.
3. McKesson shall pay all Plaintiffs' cost and fees associated with bringing this motion.
4. Plaintiffs shall submit to the Court a statement of costs and fees within two (2) days of entry of this Order.

DONE this _____ day of _____, 2007.

HONORABLE PATTI B. SARIS
United States District Court

CERTIFICATE OF SERVICE

I, Steve W. Berman, hereby certify that a true and correct copy of the above document was served on the attorney of record for each party via the Court's electronic filing system this 23rd day of January, 2007.

/s/ Steve W. Berman

Steve W. Berman